

IDAHO ELECTRICAL BOARD MEETING

Thursday – February 15, 2007 – 9:00 A.M.

Division of Building Safety
1090 East Watertower Street
Meridian, ID 83642

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.

Board Members Present:

Tom Brown, Chairman
Greg Ford, Vice Chairman
Kreg Davis
Lee Riley
Al Freize
Chris Jensen
Mark LaBolle
Tim Phillips
Dale Pippitt

DBS Staff Members:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator, Operations
Marsi Woody, Deputy Administrator, Administration
Jeff Fitzloff, Electrical Bureau Chief
Gary Malmen, Electrical Bureau Chief, Emeritus
Al Caine, License & Compliance Program Manager
Heather Carr, Consultation & Outreach Advisor
Laurie Jilbert, Executive Assistant
Roger Gabel, Deputy Attorney General
Renee Bryant, Administrative Assistant

Special Pre-Meeting – Negotiated Rule Making on Supervising Journeyman/Master Electrician Rules.

The pre-meeting was called to order at 8:15 a.m. by Vice Chairman Greg Ford. The majority of the industry and public evidenced support of requiring a signatory master license in order to obtain a contractors license. Opposed is Jack Lyman with the Idaho Mining Association. It was suggested Mr. Lyman submit his view of the proposed bill to the Bureau; upon which legal counsel would review and respond. The pre-meeting concluded at 8:40 a.m.

ACTION: Jack Lyman to submit a brief, to the Division, stating his opposition to the proposed rule. Deputy Attorney General Roger Gabel to reply to Mr. Lyman's concerns.

The regularly scheduled Electrical Board meeting was called to order by Chairman Tom Brown at 9:02 a.m.

Kelly Pearce, newly appointed Administrator for the Division of Building Safety, gave a synopsis of his career.

MEETING MINUTES MOTION: Greg Ford made a motion to approve the November 9, 2006 minutes. Chris Jensen seconded. All ayes, motion passed.

♦ Request for Administrative Appeals Hearing (Civil Penalties)

Doug Moyle, D & T Electric, Inc. – NOV#19717 & 19718 – Doug Moyle, through a teleconference call, testified on Notice of Violation's #ELE-19717 and #ELE-19718. Al Caine addressed all documentation presented by the Bureau and Mr. Moyle.

MOTION: Chris Jensen made a motion to uphold the violation. Al Freize seconded. All in favor; motion carried.

ACTION: Deputy Attorney General Roger Gabel will draft an order denying the appeal.

Energized Electrical – NOV#ELE-241 – Energized Electrical was not represented at the meeting. Upon presenting all documentation, the Bureau asked for the Board's approval to institute proceedings to revoke Donald Simpson Jr.'s Electrical Contractor's license.

MOTION: Chris Jensen moved that the Bureau proceed; pursuing all actions necessary and informing the Board of their role in the process. Kreg Davis seconded. All in favor; motion carried.

◆ **Approval of Apprentice Curriculum – Electrical Training Network (ETN)**

John Riley introduced ETN and their apprenticeship program. Packets were distributed to the Board and DBS staff. Mr. Riley asked the Board to approve their curriculum for use in the state of Idaho.

MOTION: Chris Jensen made a motion for Al Caine to review ETN's curriculum; bringing a recommendation to the Board at the May meeting. Tim Phillips seconded the motion. All in favor; motion carried.

◆ **Financial Report**

The Board reviewed the financial report included in the Board packet.

MOTION: Al Freize moved to accept the report as presented. Dale Pippitt seconded. All in favor, motion carried.

◆ **Utah Master Electrician Reciprocity Agreement**

Utah would like to eliminate, from the Reciprocity Agreement with Idaho, the one year waiting period on Master Electrician licenses. If approved, the sentence under "Master Electrician License or Certificate" would read, "The license or certificate must be current, active and in good standing."

MOTION: Al Freize made a motion that the Board concur with Utah's recommendation to remove the one year waiting period for Master Electricians in the Reciprocity Agreement between Utah and Idaho. Tim Phillips seconded the motion. All in favor; motion carried.

◆ **Factory Built Structures**

Senate Bill 1155 establishes an Idaho Modular Building Advisory Board; streamlines and consolidates the permitting requirements and fees applicable to the industry; and changes industry verbiage from "factory built structures" to "modular building structures".

◆ **Exam Summary Report**

Al Caine reviewed the Exam Summary Report. The Board voiced concerns that the standards to take the contractor's exam are too low; creating a high pass rate. No action required.

◆ **Compliance Report – Notice of Violations & Civil Penalties**

Al Caine addressed the report. A handout of code violation descriptions was distributed. The codes coincide with the Administrative Rules; generated by the last two digits of the respective rule.

◆ **Apprenticeship Program - Letters from Colleges**

Burton Waite, Professional Technical Education, provided Advisory Committee minutes from secondary institutions. The majority of the advisory committees voted to change to the NCCER curriculum. Mr. Waite outlined the procedure in which to have the program available to the colleges by the fall of 2007.

◆ **Apprentice Related Training Requirements**

Steve Woods Correspondence – Steve Woods does not favor the Electrical apprenticeship program. The Electrical Bureau responded to Mr. Woods and has included all the correspondence in the Board packet for the Board's review. No action is required.

Statute and Laws - Senator Charles Coiner is considering legislation affecting existing rules related to apprenticeship training. Steve Keys has been asked by Senator Coiner to gather feedback from the Boards for his review prior to making a decision.

The Electrical Board is open to the concept of another category. It was suggested inviting Senator Coiner and other interested parties to future Board meetings; discussing and possibly forming a committee.

◆ **Administrative Rules (Update)**

Policies for Approving CEU Courses & Instructors (Update) – Al Caine is composing draft legislation and intends to present a “working” draft at the May Board Meeting. The proposed legislation is to move the Division policies for approving CEU courses and instructors into Administrative Rule format.

Al Caine discussed an on-going issue regarding a Nat-Pro instructor, his teaching ethics and the CEU standards set forth by the Bureau. The Agency will continue to investigate and has asked for any input the Board or audience has to offer.

ACTION: Kelly Pearce and Deputy Attorney General Roger Gabel will get together, coming to a concurrence on an acceptable practice.

◆ **Draft Legislation**

Idaho Code 54-101A (Update) – House Bill 131 is a change in statute, which would limit the potential liability of DBS. The bill has been tabled at this time.

Factory Built Structures – This rule was proposed by the Electrical Board and restricts the applicability of the existing electrical specialty license for manufacturing of assembling electrical equipment. The revised rule prohibits holders of the manufacturing specialty licenses from wiring modular structures. It has been submitted to the Legislature.

Code Adoptions – This draft rule deals with adopting the 2008 National Electrical Code. Jeff Fitzloff distributed handouts for the Board's review and recommendations. Mr. Fitzloff anticipates the rule be proposed at the August meeting and adopt the rule by July 2008. In the same rule, Mr. Fitzloff would propose removing the section on fire/smoke alarm branch circuit outlet.

ACTION: Jeff Fitzloff to organize/schedule meetings with the industry throughout the State prior to the August Board meeting.

Master Electrician – This is negotiated rule making on supervising journeyman/master electrician rules and was earlier discussed at a special pre-meeting.

ACTION: Jeff Fitzloff to invite Jack Lyman with the Idaho Mining Association to the May 10th Board meeting in Idaho Falls.

Permit Procedures – The proposed legislation is on IDAPA 07.01.01, "Rules Governing Electrical Inspection Tags." This is a housekeeping issue; updating the rule to reflect proper verbiage. This proposed rule will be addressed at the May Board meeting.

♦ **Telecommunications Coalition/Low Voltage (Update)**

The Bureau has not heard from the Telecommunications industry since the November 2006 Board meeting. Mark LaBolle asked the record reflect the Telecommunications Coalition was invited to the meeting, however; no representatives were present.

ACTION: Steve Keys to contact Chairman Max Black of the House Business Committee and Senator John Andreason to discuss whether the Telecommunication industry has been in contact with them during this legislative session.

ACTION: Jeff Fitzloff to resurrect the "old" draft proposal; including it in the board packet for the May Board meeting

♦ **Old/New Business**

Computer Program – Alpine - Kelly Pearce discussed the Division's search for an improved user friendly computer program.

Bonds – Tom Brown briefly addressed legislation that, if passed, would require contractors to maintain a \$10,000.00 bond rather than a \$2,000.00.

House Bill 133 – Gary Malmen brought up the proposed bill. If passed, the apprentice/journeyman ratio will increase from two to three apprentices for every one journeyman.

♦ **Executive Session**

MOTION: Greg Ford made a motion to go into Executive Session to discuss personnel issues. Al Freize seconded. All ayes, motion passed. Roll Call Vote: Chairman Tom Brown–yes, Kreg Davis–yes, Gregory Ford–yes, Lee Riley–yes, Al Freize–yes, Chris Jensen–yes, Mark LaBolle–yes, Tim Phillips–yes, Dale Pippitt–yes.

MOTION: Greg Ford made a motion to come out of the Executive Session after discussing personnel issues and litigation as authorized by Idaho Code 67-2345 1B and F. Chris Jensen seconded. All ayes, motion passed. Roll Call Vote: Chairman Tom Brown–yes, Kreg Davis–yes, Gregory Ford–yes, Lee Riley–yes, Al Freize–yes, Chris Jensen–yes, Mark LaBolle–yes, Tim Phillips–yes, Dale Pippitt–yes.

MOTION: Chris Jensen made a motion to conclude the Board meeting at 2:50 p.m. Seconded by Tim Phillips. All ayes, motioned passed.

TOM BROWN, CHAIRMAN
ELECTRICAL BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

ADDENDUM TO THE FEBRUARY 15, 2007 IDAHO ELECTRICAL BOARD MEETING MINUTES

♦ Approval of February 15, 2007 Board Meeting Minutes

At the May 10, 2007 Idaho Electrical Board Meeting in Twin Falls, Steve Keys requested one change be made to February 15, 2007 minutes. On page four under Telecommunications Coalition, members of the coalition asked that the minutes reflect that they met with board members after the meeting.

MOTION: Mark LaBolle made a motion to accept the February 15, 2007 minutes with the change. Tim Phillips seconded. All ayes, motion passed.